

Appl. No. 10/064,046
Amdt. dated August 12, 2005
Reply to Office action of June 27, 2005

REMARKS/ARGUMENTS

1. Rejection of claims 1-3, 6, 8, and 10-13 under 35 U.S.C. 103(a):

Claims 1-3, 6, 8, and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arita et al. (US 5,432,530) in view of Jackson (US 6,611,139) and Garnjost et al. (US 5,620,068).

Response:

Claim 1 has been amended to overcome this rejection. Claim 1 now contains the limitations "a first end of the flexible member being connected to the body and a second end of the flexible member capable of swinging freely". This amendment is supported in Figures 4, 5, and 8 and throughout the specification. One distinguishing feature of the present invention is that only one end of the flexible member is fixed, and the other end is free to swing in response to a force applied to the pointing device.

On the other hand, this feature of the present invention flexible member is not taught by the cited prior art. Arita ('530) does not teach a flexible member. Jackson only teaches return springs 19, 20 that are connected at both ends to a body of the pointing device. Likewise, Garnjost teaches the use of springs 22, 24, where the spring 22 is connected to a structure 21 at a first end and a mass 23 at a second end, and the spring 24 is connected to the mass 23 at a first end and to a rod 31 at a second end.

None of the cited prior art teach that the flexible member is connected to a body at a first end and is capable of swinging freely at the second end. Instead, each of the cited prior art references teach spring devices that are rigidly connected at both ends.

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Therefore, the currently amended claim 1 is patentably distinguished from the cited prior art.

5 Claims 2-3, 6, 8, and 10-13 are dependent on claim 1, and should be allowed if claim 1 is allowed. Reconsideration of claims 1-3, 6, 8, and 10-13 is respectfully requested.

2. Rejection of claims 4 and 9 under 35 U.S.C. 103(a):

10 Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arita et al. ('530), Garnjost et al., and Jackson in view of Sava et al. (US 4,459,578).

Response:

15 Claims 4 and 9 are dependent on claim 1, and should be allowed if claim 1 is allowed. Reconsideration of claims 4 and 9 is requested.

3. Rejection of claim 5 under 35 U.S.C. 103(a):

 Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arita et al. ('530), Garnjost et al., and Jackson in view of Clymer et al. (US 5,525,901).

20 **Response:**

 Claim 5 is dependent on claim 1, and should be allowed if claim 1 is allowed. Reconsideration of claim 5 is requested.

4. Rejection of claim 7 under 35 U.S.C. 103(a):

25 Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arita et al. ('530), Garnjost et al., and Jackson in view of Kruse et al. (US 5,259,252).

Response:

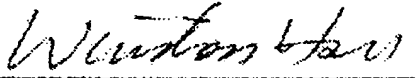
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Claim 7 is dependent on claim 1, and should be allowed if claim 1 is allowed.
Reconsideration of claim 7 is requested.

5 In light of the above arguments in favor of patentability, the applicant
respectfully requests that a timely Notice of Allowance be issued in this case.

Sincerely yours,

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is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)

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